

Practitioner's Docket No. FORE-58

PATENT

AF/2665  
JFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Mark Held, Srinivas R. Goli  
Application No.: 09/499,859  
Filed: February 7, 2000  
For: UPC FAIL DOWN

Group No.: 2665  
Examiner: Michael J. Molinari

Mail Stop Petition AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES  
(37 C.F.R. § 1.191)

Applicant hereby appeals to the Board from the decision of the Primary Examiner, mailed May 11, 2004, finally rejecting claims 1-9 and 12-17.

1. STATUS OF APPLICANT

This application is on behalf of other than a small entity.

09/14/2004 AMONDAF1 00000083 09499859

01 FC:1401 330.00 OP  
02 FC:1251 110.00 OP

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10\*  
(When using Express Mail, the Express Mail label number is *mandatory*;  
*Express Mail certification is optional.*)

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

X deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

37 C.F.R. § 1.8(a)

X with sufficient postage as first class mail.

37 C.F.R. § 1.10\*

☐ as "Express Mail Post Office to Addressee"  
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TRANSMISSION

☐ facsimile transmitted to the Patent and Trademark Office, (703) \_\_\_\_\_

Date: 9/10/04

Tracey L. Milka  
Signature

Tracey L. Milka

(type or print name of person certifying)

\* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

**2. FEE FOR FILING NOTICE OF APPEAL**

Pursuant to 37 C.F.R. § 1.17(b), the fee for filing the Appeal Brief is:

Other than a small entity	\$330.00
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Notice of Appeal fee due	\$330.00
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**3. EXTENSION OF TERM**

The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply.

Applicant petitions for an extension of time under 37 C.F.R. 1.136 (fees: 37 C.F.R. 1.17(a)(1)-(4)) for one month:

Fee	\$110.00
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If an additional extension of time is required, please consider this a petition therefor.

Extension fee due with this request	\$110.00
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**4. TOTAL FEE DUE**

The total fee due is:

Notice of Appeal fee	\$330.00
Extension fee	\$110.00

**TOTAL FEE DUE \$440.00**

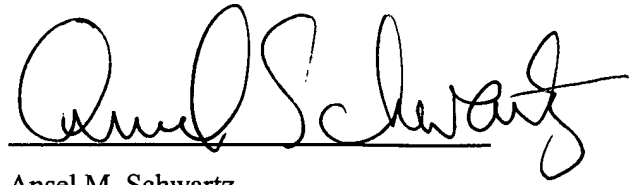
**5. FEE PAYMENT**

Attached is a check in the amount of \$440.00.

A duplicate of this transmittal is attached.

**6. FEE DEFICIENCY**

If any additional extension and/or fee is required, and if any additional fee for claims is required, charge Deposit Account No. 19-0737.

A handwritten signature in black ink, reading "Ansel M. Schwartz". The signature is written in a cursive style with a horizontal line underneath the name.

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